

REMARKS

Examiner Hai Chi Pham is thanked for the courtesy of the interview granted Applicants' counsel on December 16, 2003. The claims and prior art were reviewed at length. Examiner Pham was understood to say that the claims may be allowable upon the submission of Applicants' argument that the reference of record does not teach or suggest that the optical feature of the invention is used to focus the collimated beam of light. Therefore, the Examiner's comments together with the cited references have been carefully studied. Favorable reconsideration in view of the foregoing amendments and following remarks is respectfully requested.

Claims 1-21 are pending in the application. Claim 1 herewith is amended. Claims presently active are claims 1 (as amended) and claims 2 – 21.

Relying on 35 U.S.C. 102(b), the Examiner rejected claims 1-7, 10-13, and 20-21 as being anticipated by Miyawaki et al. Applicants respectfully traverse the Examiner's rejection, and request reconsideration. Applicants respectfully submit that a rejection for lack of novelty under Section 102(b) requires that the invention must be identically disclosed or described in the reference. Applicants respectfully submit that important and material limitations of their invention as claimed are not disclosed in the reference. More particularly, applicant's claim 1 (as amended) is directed to a microlens array in stark contrast to Miyawaki et al which discloses a semiconductor device. None of the features of applicants microlens array are taught or suggested by Miyawaki et al . Moreover, applicant's claim 1 expressly requires, in pertinent part, that "said at least one optical feature focusing said collimated beam of light onto said second surface thereby forming a correspondingly precisely located at least one fiducial mark thereon 'opposite said at least one optical feature.'" Miyawaki et al clearly do not teach or suggest this novel and unobvious claimed feature. Hence, applicant's claim 1 (as amended) is deemed patentable over Miyawaki et al. Since claims 2-7, 10-13, and 20-21 depend directly or indirectly from claim 1 (as amended), these claims also

are deemed patentable for the same reasons advanced for the patentability of claim 1 (as amended).

Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection of the claims 1-7, 10-13, and 20-21 under 35 U.S.C. 102(b).

Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Miyawaki et al. in view of Ochi et al. Claim 4 depends directly or indirectly from claim 1 (as amended) and, therefore, incorporates the patentable features thereof. Hence Claim 4 is deemed patentable for the reasons above.

In view thereof, it follows that the subject matter of the claims would not have been obvious of Miyawaki et al. in view of Ochi et al. at the time the invention was made.

Claims 8-9 and 18-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Miyawaki et al. in view of Weirauch. The rejection is traversed. Similarly, claims 8 – 9 and 18 - 19 depend directly or indirectly from claim 1 (as amended) and, therefore, each incorporates the patentable features thereof. Hence Claim 8 – 9 and 18 - 19 are deemed patentable for the reasons above.

In view thereof, it follows that the subject matter of the claims would not have been obvious of Miyawaki et al. in view of Weirauch at the time the invention was made.

Claims 14-17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Miyawaki et al. in view of Dombrowski et al. The rejection is traversed. Similarly, Claim 14 - 17 depend directly or indirectly from claim 1 (as amended) and, therefore, each incorporates the patentable features thereof. Hence Claim 14- 17 are deemed patentable for the reasons above.

In view thereof, it follows that the subject matter of the claims would not have been obvious of Miyawaki et al. in view of Dombrowski et al. at the time the invention was made.


Applicants have reviewed the prior art made of record, including Miyawaki et al., Weirauch, Ochi et al., and Dombrowski et al.,

and believe that singly or in any suitable combination, they do not render Applicants' claimed invention unpatentable.

In view of the foregoing remarks and amendment, the claims 1 (as amended and 2 - 21 are now deemed allowable and such favorable action is courteously solicited.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

Respectfully submitted,


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